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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/731,418	12/09/2003	Stratton C. Lloyd	OIC0117US	3931
66/975 7590 08/27/2009 CAMPBELL STEPHENSON LLP 11401 CENTURY OAKS TERRACE BLDG. H, SUITE 250 AUSTIN, TX 78758				
EXAMINER LOFTIS, JOHNNA RONEE				
ART UNIT 3624		PAPER NUMBER		
MAIL DATE 08/27/2009		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/731,418

Applicant(s)

LLOYD ET AL.

Examiner

JOHNNA R. LOFTIS

Art Unit

3624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 June 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 6-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 6-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(c), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(c) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/30/09 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 1, 2 and 6-27 have been considered but are moot in view of the new ground(s) of rejection.
3. In the previous Office Action mailed 3/31/09, notice was taken by the Examiner that certain subject matter is old and well known in the art. Per MPEP 2144.03(c), these statements are taken as admitted prior art because no traversal of this statement was made in the subsequent response. Specifically, it has been taken as prior art that: that when data is not correct for generating a report such as a forecast, it was old and well known at the time of the invention to notify a person to correct the data.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 2 and 6-27 rejected under 35 U.S.C. 103(a) as being unpatentable over Amerasinghe et al, US 20070208608, in view of Sultan, US 6804657.

As per claim 1, Amerasinghe et al. discloses a method in a computer system for defining a forecast snapshot, the method comprising: receiving an interval wherein the interval specifies a frequency at which forecast snapshots are generated (paragraphs 6 and 57; Table 1; Figure 3); receiving a specified day within the interval wherein the forecast snapshot is generated on a specified day (paragraph 57; Table 1); receiving specified roles of participants wherein the forecast snapshot comprises information regarding a member of the organization and the information indicates the member is assigned one of the specified roles is included in the forecast snapshot (paragraphs 48 and 50; Figures 6a-6b); generating the forecast snapshot wherein the forecast snapshot is based on the opportunity information of the participants and the forecast snapshot includes the opportunity information (paragraph 50; paragraphs 54 and 55 wherein it states that forecasts are defined and created based on inputs including opportunities); and notifying the participants of the creation of a forecast snapshot (paragraphs 0048-0050 – the forecast series defines who may participate; the participants are notified because they are given the chance to run a preliminary forecast and they can make modifications or adjustments prior to submitting the information to his or her manager; paragraphs 048-051 teach that once a forecast is generated, a manager may adjust analyze, etc. When the forecast is submitted to the manager, he or she is notified, in that he or she has access to the forecast to make any modification).

Amerasinghe et al teaches a hierarchy exists for members of the organization (pp 0047), but does not explicitly teach the processor automatically generating the forecast snapshot comprises causing the processor to validate a hierarchy of the participants. Sultan teaches a global sales forecasting system wherein representatives of the organization are classified into a hierarchical structure wherein only those with permission at specific levels of the hierarchy are granted access to specific data. (column 4, lines 24-67 and column 7, line 44 – column 8, line 55). The system implements a control over the granting of permissions so as to allow a high degree of control over what pipeline and/or forecast information is accessed by each member of the sales force in the organization's hierarchy. It would have been obvious to one of ordinary skill in the art at the time of the invention to include in the forecasting system of Amerasinghe et al the ability to validate or authorize access to data based on permissions associated with a member's position in the hierarchy as taught by Sultan since the claimed invention is merely a combination of old elements and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per claim 2, Amerasinghe et al. discloses a participant of the participants updates the forecast snapshot in response to the alert (paragraph 048-051 teach that once a forecast is generated, a manager may adjust analyze, etc. When the forecast is submitted to the manager, he or she is notified, in that he or she has access to the forecast to make any modification).

As per claim 6, Amerasinghe et al. discloses the method of claim 1 and hierarchy of members in the organization (paragraph 47; item 11 in Figures 2-3; Members of a hierarchy are defined.), but does not explicitly teach the processor automatically generating the forecast

snapshot comprises causing the processor to validate a hierarchy of the participants. Sultan teaches a global sales forecasting system wherein representatives of the organization are classified into a hierarchical structure wherein only those with permission at specific levels of the hierarchy are granted access to specific data. (column 4, lines 24-67 and column 7, line 44 – column 8, line 55). The system implements a control over the granting of permissions so as to allow a high degree of control over what pipeline and/or forecast information is accessed by each member of the sales force in the organization's hierarchy. It would have been obvious to one of ordinary skill in the art at the time of the invention to include in the forecasting system of Amerasinghe et al the ability to validate or authorize access to data based on permissions associated with a member's position in the hierarchy as taught by Sultan since the claimed invention is merely a combination of old elements and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

. As per claim 7, Amerasinghe et al. does not expressly disclose the method of claim 6 including when the hierarchy of participants is not correct, notifying a user so the hierarchy can be corrected. However, Examiner takes Official Notice that when data is not correct for generating a report such as a forecast, it was old and well known at the time of the invention to notify a person to correct the data. Therefore, at the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify Amerasinghe et al. to notify a person when the hierarchy of participants is not correct so that the hierarchy can be corrected because such notification ensures data accuracy and integrity.

As per claim 8, Amerasinghe et al. discloses the method of claim 1 wherein the generating includes for each participant, retrieving opportunity information for that participant (paragraphs 48-50); but does not explicitly teach generating forecast summaries in accordance with a hierarchy of the participants. Sultan teaches a global sales forecasting system wherein representatives of the organization are classified into a hierarchical structure wherein only those with permission at specific levels of the hierarchy are granted access to specific data. (column 4, lines 24-67 and column 7, line 44 – column 8, line 55). The system implements a control over the granting of permissions so as to allow a high degree of control over what pipeline and/or forecast information is accessed by each member of the sales force in the organization's hierarchy. It would have been obvious to one of ordinary skill in the art at the time of the invention to include in the forecasting system of Amerasinghe et al the ability to validate or authorize access to data based on permissions associated with a member's position in the hierarchy as taught by Sultan since the claimed invention is merely a combination of old elements and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per claim 9, Amerasinghe et al. discloses the method of claim 1 wherein each forecast snapshot is associated with a forecast period (paragraph 57).

As per claim 10, Amerasinghe et al. discloses the method of claim 9 wherein the forecast period is a quarter (paragraph 57).

As per claim 11, Amerasinghe et al. discloses the method of claim 9 including receiving from the user an indication of the forecast period (paragraph 57).

As per claim 12, Amerasinghe et al. discloses the method of claim 1 wherein the forecast snapshot is automatically generated based on the day and interval (paragraphs 48, 58-59 and 94).

Claims 13-27 recite subject matter similar to that already rejected above. Therefore, claims 13-27 are rejected on the same basis as claims 1-12 above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOHNNA R. LOFTIS whose telephone number is (571)272-6736. The examiner can normally be reached on M-F 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brad Bayat can be reached on 571-272-6704. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Johnna R Loftis/

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